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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/634,122	04/19/96	KATO M	SONY-C4021

#25

LN11/0330

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EXAMINER	
RAO, A	

ART UNIT	PAPER NUMBER
2713	

DATE MAILED: 03/30/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/634,122	Applicant(s) Kato
	Examiner Anand Rao	Group Art Unit 2713

☒ Responsive to communication(s) filed on *Nov 3, 1997*.

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *1-3, 5, 8-10, and 12-14* is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-3, 5, 8-10, and 12-14* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐approved ☐disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Part III DETAILED ACTION

Response to Request for Reconsideration

1. Applicant's arguments with respect to claims 1-3, 5-10, and 12-14 as Paper 24 on 11/3/97 have been considered but are not persuasive.

2. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
>
> Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

3. Claims 1-3, 5, 8-10, and 12-14 are rejected under 35 U.S.C. § 103 as being unpatentable over Morrison in view of Raychaudhuri et al, as was set forth in the Office Action of 6/30/97 as Paper 22.

The Applicant presents three arguments contending the Examiner's rejection of claims 1-3, 5, 8-10, and 12-14 under 35 U.S.C. § 103 as being unpatentable over Morrison in view of Raychaudhuri et al, as was set forth previously. However after a careful consideration of the arguments presented and upon further scrutiny of the Morrison reference, the Examiner must respectfully disagree for the reasons that follow.

Firstly, the Applicant accurately summarizes most of the Morrison discussion concerning the disclosed tier of header information (Paper 24: page 2, lines 13-31 through page 3, lines 1-25) , the Applicant then asserts that "all of Morrison's header compression occurs within a single frame..." and fails to address the redundant picture header compression as being implemented on the picture level between two successive pictures as in the instant invention. The Examiner respectfully disagrees. It is noted that Morrison clearly discloses inputting a "picture header" sequence, that is a series of multiple picture headers for respective multiple pictures being coded (Morrison: column 5, lines 2-4), and that Morrison discloses that in the precoder, after receiving both the group of blocks and the *picture header sequences*, the precoder determines which of the headers are to be generated (Morrison: column 5, lines 13-20). While Morrison is concerned mainly with discussing the selecting of header data on the respective group-of-block and block level, and the header data and coded information data combinations on said levels (Morrison: column 5, lines 25-45), the Examiner asserts that this would extend all the way up to the picture header level since Morrison discloses that the picture level can also be used to house particular coding parameters (Morrison: column 4, lines 44-45) to represent the changes or lack of changes in the video signal on a whole picture level, as well. Furthermore, Morrison discloses a particular instance where selective header generation on a picture header level to represent changes between a series of images would be advantageous, that is: to use one header to represent appropriate information for multiple pictures in a sequence for the purpose of reconstruction (Morrison: column 9, lines 20-32). Accordingly, for the reasons discussed above, the Examiner maintains that

Morrison teaches of the redundant picture header compression as being implemented on the picture level between two successive pictures as in the instant invention.

Secondly, the Applicant asserts that Morrison fails to read on the comparison means as claimed because Morrison compares two different types of header data, that is group of blocks to picture headers. For the reasons discussed above, the Examiner maintains that the comparison means of Morrison are respectively comparing the picture header sequences, and the group of block sequences (Morrison: column 5, lines 13-20). It is further curious to note that while the Applicant acknowledges that while Morrison keeps distinct information in the separate types of headers (Paper 24, page 3, lines 4-9), the reference would still require comparison between various headers even for disparate information. If this were indeed the case, Morrison would never have any kind of header compression, much less on a picture level. While Morrison is concerned mainly with discussing the selecting of header data on the respective group-of-block and block level, and the header data and coded information data combinations on said levels (Morrison: column 5, lines 25-45), the Examiner asserts that this would extend all the way up to the picture header level since Morrison discloses that the picture level can also be used to house particular coding parameters (Morrison: column 4, lines 44-45) to represent the changes or lack of changes in the video signal on a whole picture level, as well. Accordingly, the Examiner maintains that Morrison has the comparison means of the first and second header data as in the claims.

Lastly, the Applicant's remarks concerning the Examiner's incorporation of the secondary Raychaudhuri reference with the primary Morrison reference for addressing the MPEG coding

environment, is basically a restatement of the first issue brought up for discussion. Since the Examiner has already rebutted "header compression within a single picture" limitation above, and since no further argument concerning the combination appears to be present, the Examiner maintains those grounds as well.

For the reasons discussed above, the Examiner respectfully maintains the rejection of claims 1-3, 5, 8-10, and 12-14 under 35 U.S.C. § 103 as being unpatentable over Morrison in view of Raychaudhuri et al., as was set forth previously in the Office Action of 6/30/97 as Paper 22, and as was discussed above.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anand Rao whose telephone number is (703)-305-4813.

asr

TOMMY P. CHIN
SUPERVISORY PATENT EXAMINER
GROUP 2700

March 23, 1998